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PLANNING COMMITTEE ADDENDUM REPORTS

DATE: THURSDAY 22 APRIL 2010
TIME: 2.30 PM
PLACE: COUNCIL HOUSE, ARMADA WAY, PLYMOUTH

Members –

Councillor Lock, Chair
Councillor Mrs Stephens, Vice Chair
Councillors Mrs Bowyer, Delbridge, Mrs Foster, Nicholson, Roberts, Stevens,
Thompson, Tuohy, Vincent and Wheeler

Members are invited to attend the above meeting to consider the items of business overleaf

Members and Officers are requested to sign the attendance list at the meeting.

BARRY KEEL
CHIEF EXECUTIVE

PLANNING COMMITTEE

6.3. EAST QUAYS BOATYARD, SUTTON ROAD, (Pages 1 - 2)
PLYMOUTH 09/01882/FUL

Applicant: Sutton Harbour Property and Regeneration Ltd
Ward: Sutton and Mount Gould
Recommendation: Grant Conditionally subject to S106 obligation

6.4. 66 TO 68 NEW GEORGE STREET, PLYMOUTH (Pages 3 - 4)
10/00135/FUL

Applicant: LV = Asset Management Ltd
Ward: St Peter and The Waterfront
Recommendation: Grant conditionally subject to the satisfactory completion of the S106 obligation. Delegated authority to refuse the application should the S106 obligation not be signed by the 3 May 2010.

6.5. FORMER ARK ROYAL PUBLIC HOUSE, (Pages 5 - 8)
DEVONPORT, PLYMOUTH 09/01910/FUL

Applicant: Devon and Cornwall Constabulary
Ward: Devonport
Recommendation: Grant

6.7. MOUNT STONE HOUSE, MOUNT STONE ROAD, (Pages 9 - 10)
PLYMOUTH 10/00216/FUL

Applicant: Mr and Mrs Jeffery
Ward: St Peter and The Waterfront
Recommendation: Refuse

6.8. MOUNT STONE HOUSE, MOUNT STONE ROAD, (Pages 11 - 12)
PLYMOUTH 10/00217/LBC

Applicant: Mr and Mrs Jeffery
Ward: St Peter and The Waterfront
Recommendation: Refuse

6.9. WOODLAND TERRACE LANE, LIPSON, (Pages 13 - 14)
PLYMOUTH 10/00180/FUL

Applicant: Bibio Limited
Ward: Drake
Recommendation: Grant conditionally subject to the satisfactory completion of the S106 obligation. Delegated authority to refuse the application should the S106 obligation not be signed by the 14 May 2010.

6.10. LONGCAUSE (Pages 15 - 16)
SCHOOL, LONGCAUSE, PLYMOUTH
10/00010/FUL

Applicant: Mr Mike Jelly
Ward: Plympton Erle
Recommendation: Grant Conditionally

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ADDENDUM REPORT PLANNING COMMITTEE 22nd APRIL 2010**Item: 03****Site: East Quays Boatyard, Sutton Road, Plymouth.****Ref: 09/01882/FUL****Applicant: Sutton Harbour Property and Regeneration Ltd.****Page: 21****Environment Agency**

As a result of discussions with the Environment Agency regarding its previous objection to the proposed development on flood risk grounds, it has been agreed with the Environment Agency that a reasonable approach is for this matter to be dealt with by the imposition of the flood risk mitigation measure condition recommended within the officer's report. On the basis of this agreement and the fact that the Emergency Planning Services do not object to the development proposal, the Environment Agency supports the development proposal.

Section 106 Obligation:

At the time of writing the officer's report, the Heads of Terms of the Section 106 Obligation were still being negotiated with the applicant. The negotiations regarding the S106 contribution have now been concluded and the applicant has agreed to the Heads of terms as set out within the Officer's report.

On this basis the Council's Housing Strategy and Renewal Team support the development proposal and it is therefore recommended that the S106 Obligation be supported.

Conclusion:

Grant conditionally subject to the satisfactory completion of the S106 Obligation. Delegated authority to refuse the application should the S106 Obligation not be signed by the 22nd July 2010.

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ADDENDUM REPORT PLANNING COMMITTEE APRIL 22nd 2010**Item: 04****Site: 66 to 68 New George Street, Plymouth.****Ref: 10/00135/FUL.****Applicant: L V Asset Management Ltd.****Page: 49****Disabled Parking and Location of Cycle Spaces**

Following Highway Authority concerns regarding the lack of disabled parking provision on-site and regarding the originally proposed siting of the cycle parking within the new public route and on land outside the planning application site area, revised plans have been received which propose 10 disabled car parking spaces adjoining the new public route, together with the relocation of the cycle spaces to the basement of the development (ensuring the provision of secure and covered cycle parking in accordance with planning policy).

The Highway Authority therefore recommends that an additional parking condition is added to secure the provision of the 10 disabled parking spaces and that Condition 11 ("Pedestrian/Cycle Access") is replaced by a condition imposed to ensure the implementation of the new pedestrian route prior to occupation of the development.

An additional condition is recommended to ensure that a satisfactory scheme to manage student arrivals is implemented in accordance with details to be submitted to and agreed in writing by the Local Planning Authority, in order to avoid this process causing un-necessary disruption to the highway network at the start of the student term.

It is also recommended that an additional Informative is included which refers to the fact that the development will be excluded from the resident parking permit scheme in operation in the area as this is currently at capacity.

On this basis the Highway Authority supports the application.

Section 106 Obligation:

Community Benefits - It is noted that the full amount of Plymouth Development Tariff reported within the officer's report is inaccurate. The total figure should read as £927,792. Taking into account the 50% concessionary measure agreed by cabinet for brown-field sites, the amount therefore required under the reduced Tariff would be £463,896 and not £1,315,805 as previously reported.

At the time of writing the officer's report, the Heads of Terms of the Section 106 Obligation were still being negotiated with the applicant. The negotiations regarding the S106 contribution have now been concluded and a £327,000 contribution towards the Plymouth Development Tariff as previously identified within the officer report has been agreed by the applicant. It has been agreed that the Clawback clause will be implemented if the profit levels identified by subsequent development appraisals exceed 20% rather than the 15% previously reported.

On this basis it is recommended that the S106 Obligation be supported.

Report of late Third Party Representation:

One late letter of representation objecting to the proposed building height and raising concerns regarding the routing of construction routes and impact of construction on local businesses has been received. These matters have previously been addressed within the officer's report.

Conclusion:

Grant conditionally with the inclusion of two additional Highway conditions, a replacement for condition 11 and an additional Highway informative, and subject to the satisfactory completion of the S106 Obligation with delegated authority to refuse the application should the S106 Obligation not be signed by the 3rd May 2010.

ADDENDUM REPORT PLANNING COMMITTEE 22nd APRIL 2010**Item: 05****Site: Former Ark Royal Public House, Devonport****Ref: 09/01910/FUL****Applicant: Devon and Cornwall Constabulary****Page: 77****Further Highway Authority Consultation Response**

Further to the previous highway consultation response the applicant has now submitted further information in response to the concerns raised by the Highway Authority in respect of the loss of the car park and the level of car parking serving the development itself.

Loss of Car Parking

The applicant has now produced a Parking Assessment in order to address concerns raised regarding the loss of the car park.

The parking survey undertaken reveals that the car park is well-used by patrons of the Mecca bingo hall at the weekends (Saturday night being the peak) but less so during the week when it is regularly used by residents and local businesses.

Whilst the loss of the car park is regrettable (and something the Highway Authority would not want to endorse) it is noted that the use of the car park should be restricted to patrons of the bingo hall only and is not available for use by the general public. However as the use of the car park has not been monitored by Mecca Bingo (and the barrier at the entrance has not been in operation) the general public have continued to use it.

Furthermore the use of the car park by Mecca Bingo is subject to a lease arrangement which expires in 2014. Therefore were the lease to be ended prematurely (which would not require planning consent) there would be nothing to prevent the car park from being taken out of use.

In view of these circumstances I would suggest that it would not be possible for the Highway Authority to substantiate a valid highway recommendation of refusal of this application on the basis of a reason relating to loss of the car parking area. It is also noted that this car park does not feature in the PCC Parking Strategy document which highlights the location of all publicly accessible car parks within the City.

As well as determining the level of use of the existing car park, the parking assessment also looked into the availability of on-street kerbside parking within the area. This revealed that spaces were available in various locations within the immediate vicinity of the site (Raglan Road, St Nazaire Approach etc) and therefore these spaces could be utilised by patrons of the Mecca Bingo Hall. There is also an under-utilised public car park behind the Bingo Hall at Princes Street which could be used by Mecca Bingo.

It is noted that the Bingo Hall already has its' own dedicated members car parking area which provides 15 spaces and therefore the removal of the 'leased' car parking would not result in the premises having no dedicated off-street parking. Furthermore as there are other Bingo Halls located throughout the City it is likely that most visitors would live locally and therefore a reduction in the availability of parking on-site may encourage the use of more sustainable modes of transport such as walking, cycling, public transport etc.

Consequently I am content that the issue regarding the loss of the use of the car park by the Bingo Hall has been addressed.

On-Site Parking Provision

In addition to the loss of the car park my other concern relates to the lack of dedicated off-street car parking proposed to serve the Police Station, with just 4 car sharing spaces proposed (although this number could reduce to 3 as some spaces are below the required minimum dimensions).

Information provided on the current travel patterns of staff working at the Marlborough Street Police Station reveals that almost two thirds of all staff currently drive to the site. This high percentage is likely to be a result of the working shift patterns with the private car the only likely alternative for staff working late nights.

The applicant has confirmed that there will be an increase in the number of staff based at the new premises at Fore Street. On the basis of information provided by the applicant on staffing numbers and shift patterns, there would be a maximum daily demand for 24 staff parking spaces on the site. However with only 4 car sharing spaces proposed it can be seen that there is a significant shortfall in the number of staff car parking spaces provided compared to the number required.

The Police Authority have confirmed that staff will continue to be permitted to park their cars in the car parking area that currently serves Riverside Business Park, the use of which the Police currently pay for (this car park can currently be used by staff based at Marlborough Street).

However the long-term future of this car parking area serving the business park remains uncertain as it is currently subject to a separate planning application for 3 small business units (app. no. 10/00191) and therefore the future use of this car park cannot be relied upon. Furthermore this car park is some distance from the site of new Police Station on Fore Street (involving a walk of almost 600m) and therefore it is unlikely to be used by staff particularly those working late evening shifts. I would suggest that such staff would be more likely to park on-street closer to the Fore Street site. Whilst visiting the Riverside Business Park as part of their application it was observed that the car park in question was never heavily parked and those vehicles that were parked there were usually commercial vehicles (vans etc) associated with the existing businesses on the site (not private cars).

Whilst the loss of the use of the existing Fore Street car park by the general public is regrettable but accepted (as there are not entitled to park there), its closure will

undoubtedly result in those residents/businesses having to park on-street in the area.

With virtually no dedicated car parking proposed for use by staff on-site and there being question marks over the long-term use of the alternative staff parking site identified at Riverside Business Park (the use of which also involves a lengthy walk), it is likely that staff working at the new Police Station would also park kerbside within the residential streets surrounding the site and placing further demands on the on-street parking situation within the area to the detriment of local residents.

It is the view of the Highway Authority that the proposal does not meet the requirements of Policies CS28 and CS34 of the Core Strategy which refer to making a contribution towards meeting the car parking needs arising from the development. Therefore I would have to recommend that this application is refused for the following reason.

Transport recommends that planning permission is refused

Recommendation:

ZREF3 - Inadequate Provision of Parking

No adequate provision is proposed to be made for the parking of cars of staff working at the Police Station. Vehicles used by such persons would therefore have to stand on the public highway giving rise to conditions likely to cause:

- (a) Damage to amenity;
- (b) Prejudice to public safety and convenience; and
- (c) Interference with the free flow of traffic on the highway; which is contrary to Policy CS28 and CS34 of the adopted City of Plymouth Local Development Framework Core Strategy adopted April 2007.

Analysis

There is strong support for a new police station in Devonport and it is considered that the current proposal would result in a well designed, attractive building. However, the site is quite small and there has been a longstanding concern about the level of parking provided for staff. It was hoped that a staff travel plan would demonstrate that a reasonably large number of staff would be arriving at the site by sustainable transport methods (bus, cycling, walking etc) and that there would not be a significant displacement of staff parking onto adjoining residential streets which currently provide unrestricted on street car parking. Information on current staff travel patterns in connection with the existing Marlborough Street station indicates that approximately 2/3rds drive to the site. It is also envisaged that the proposed new station will accommodate additional officers.

The Highway Authority have endorsed concerns of the DRCP and a number of local residents about the levels of staff parking provided in connection with this proposed use. There is no opportunity to provide additional on site parking. Reluctantly this is accepted and the recommendation changed.

Recommendation

Changed to REFUSAL: REASON - INADEQUATE PARKING PROVISION (text as above)

ADDENDUM REPORT PLANNING COMMITTEE 22nd April 2010**Item: 07****Site: Mount Stone House, Mount Stone Road, Plymouth****Ref: 10/00216/FUL****Applicant: Mr A Jeffery****Page: 99**

Since completion of the officer's reports, which included a recommendation for refusal, the applicant has advised that they wish to withdraw both their applications (for listed building and planning consent).

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ADDENDUM REPORT PLANNING COMMITTEE 22nd April 2010**Item: 08****Site: Mount Stone House, Mount Stone Road, Plymouth****Ref: 10/00216/FUL****Applicant: Mr A Jeffery****Page: 105**

Since completion of the officer's reports, which included a recommendation for refusal, the applicant has advised that they wish to withdraw both their applications (for listed building and planning consent).

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ADDENDUM REPORT PLANNING COMMITTEE 22nd April 2010**Item: 09****Site: Woodland Terrace Lane, Lipson, Plymouth PL4 8QL****Ref: 10/00180/FUL****Applicant: Bibio Limited****Page: 109**

Members are advised that condition 2 in the recommendation should refer to the use of the development for affordable housing purposes. As it stands condition 2 reads as follows:

(2) The development hereby permitted shall be used for sheltered or supported residential accommodation only and details of the type of client residing in the flats, and any future changes to the type of client, shall be submitted to and approved in writing by the Local Planning Authority before the flats are occupied by such persons.

Reason:

The development is considered appropriate for use by persons in need of shelter or support but the use by individual client groups needs to be assessed with regard to the impact on existing infrastructure, i.e. the highway network, in accordance with policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

It is **recommended** that this **condition be amended** to:

(2) When not being used for affordable housing purposes as set out in the Section 106 agreement associated with this application, the development hereby permitted shall be used for sheltered or supported residential accommodation only and details of the type of client residing in the flats, and any future changes to the type of client, shall be submitted to and approved in writing by the Local Planning Authority before the flats are occupied by such persons.

Reason:

The development is considered appropriate for use as affordable housing or by persons in need of shelter or support but the use by individual client groups needs to be assessed with regard to the impact on existing infrastructure, i.e. the highway network, in accordance with policies CS28 and CS34 of the Core Strategy of Plymouth's Local Development Framework 2007.

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ADDENDUM REPORT PLANNING COMMITTEE 22 April 2010**Item: 10****Site: Longcause School, Longcause, Plymouth****Ref: 10/00010/FUL****Applicant: Mr Mike Jelly****Page: 121**

Members are advised that the Headteacher of the School has written in support of the application stating that the current sport facilities are inadequate; the facility will provide all weather space for sport all year round as well as delivering more on-site activities; it will reduce trips to off-site sports facilities; Autistic Spectrum Disorder pupils will be able to develop physically, emotionally and socially by participating in a number of activities. The sports facility will allow Longcause pupils to integrate with other schools across the city and will benefit pupils and the wider community.

30 letters of support were received recently. These collectively raise points already referred to in the Officer's report, as well as the following related/additional points:

- The scheme provides better access to physical activity, improves exercise.
- Improves experience of a range of sports – the existing hall is too small for some sports.
- Improves health and well being of students – Longcause pupils tend to be physically inactive outside school and they need to have the opportunity to exercise at school.
- Improves gross motor skills for students with difficulties.
- Enables further extra-curricular opportunities.
- The reduction in off-site travelling increases learning time.
- Facility can be used for break and lunchtime clubs to run.
- The facility would be available for other groups and schools as well as disabled pupils.
- Pupils at the school have special educational needs and the existing facilities are far from adequate.

An additional plan has also been submitted, which shows the existing vehicle turning area within the school site.

Sport England has commented on the scheme and from what they can ascertain the site is not 'playing fields'. If a 'playing pitch' has been laid out on the site within the last 5 years then Sport England would be a statutory consultee. However, providing that the said facility is open to the wider community in perpetuity and adequately maintained Sport England would not, if they were a statutory consultee, raise objections to the application, because the proposed development is for an indoor or outdoor sports facility, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss of the playing field or playing fields. Otherwise Sport England's Planning Policy Objective 7 supports the development of new facilities that will secure opportunities to take part in sport, and which can be achieved in a way that meets sustainable

development objectives. They conclude that the proposal appears to accord with this policy and that it receives their support in principle.

The recommended decision and conditions on this application are unchanged as a result of the above.